United Nations A/73/139

General Assembly

Distr.: General
10 July 2018

Original: English

Seventy-third session
Item 30 of the preliminary list*
Advancement of women

Contemporary forms of slavery, including its causes and consequences

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola, in accordance with Human Rights Council resolution 33/1.

* A/73/50.

18-11431 (E) 230718

Please recycle

Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences

Summary

In the present report, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, discusses the gender-related dimensions of contemporary forms of slavery, with a particular focus on structural discrimination against women and girls as both a cause and a consequence of various manifestations of slavery (including institutions and practices similar to slavery) around the world.

The Special Rapporteur begins by outlining the provisions in international law and policies that contain guarantees of gender equality and non-discrimination in relation to the prevention and eradication of contemporary forms of slavery. The gendered causes of the phenomena are discussed and the forms of discrimination against women and girls that create and perpetuate manifestations of slavery, including forced labour, bonded labour and domestic servitude, are highlighted. The specific gendered impact of slavery that occurs in a number of economic sectors, namely, agriculture, garment work, electronics manufacturing, accommodation and food services, and domestic and care work, are then outlined. The Special Rapporteur concludes by presenting recommendations to Member States and other stakeholders, including businesses, for eradicating contemporary forms of slavery.

I. Introduction

1. The mandate of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, was established by the Human Rights Council in its resolution 6/14 of 28 September 2007 and subsequently extended by the Council in its resolutions 15/2 of 29 September 2010 and 24/3 of 26 September 2013. The current mandate holder, Urmila Bhoola, presented her first report to the General Assembly in 2017 (A/72/139), following the renewal of her mandate in September 2016 at the thirty-third session of the Human Rights Council. In that report, the Special Rapporteur discussed the Sustainable Development Goals and slavery eradication efforts, addressing, inter alia, how the continued prevalence of contemporary forms of slavery can in many ways be seen as a symptom of the weaknesses in the efforts to achieve sustainable development, and explored the systemic socioeconomic trends that have contributed to that continued widespread prevalence.

2. In the present report, the Special Rapporteur provides a study of the gender dimension of contemporary forms of slavery and its causes and consequences, with a particular focus on structural discrimination against women and girls as both a cause and a consequence of various manifestations of slavery (including institutions and practices similar to slavery) around the world.

3. The Special Rapporteur begins by outlining the provisions in international law and policies that contain guarantees of gender equality and non-discrimination in relation to the prevention and eradication of contemporary forms of slavery. The gendered causes of the phenomena are discussed and the forms of discrimination against women and girls that create and perpetuate manifestations of slavery, including forced labour, bonded labour and domestic servitude, are highlighted. The specific gendered impact of slavery that occurs in a number of economic sectors, namely, agriculture, garment work, electronics manufacturing, accommodation and food services, and domestic and care work, are then outlined. The Special Rapporteur concludes by presenting recommendations to Member States and other stakeholders, including businesses, for eradicating contemporary forms of slavery.

4. In line with Human Rights Council resolution 33/1 and in order to inform her report, the Special Rapporteur convened an expert consultation on the gender dimensions of contemporary forms of slavery in the format of a round table. The event took place at the premises of the Office of the United Nations High Commissioner for Human Rights in Geneva, Switzerland, in April 2018. The Special Rapporteur is sincerely thankful to the participants for the very enriching discussions held and briefing papers submitted during the event, which have contributed to her understanding of the phenomenon and are to a great extent reflected in the present report.

5. In addition, a public call for submissions to inform the report was placed on the website of the mandate holder and a questionnaire circulated to all of the permanent missions in Geneva and to specialized agencies, intergovernmental organizations and civil society. A number of submissions were received from States, intergovernmental organizations and civil society and were taken into account in the drafting of the present report. The Special Rapporteur expresses her gratitude to all who provided information and made submissions during this process.

6. The present report is focused on the causes and impacts of contemporary forms of slavery, with a view to contributing to the development and implementation of a gender-responsive and women's human rights-based approach to preventing and eradicating contemporary forms of slavery. This is critical not only to ensuring the universal realization of human rights, but also to facilitating the achievement of many

of the Sustainable Development Goals and targets, including those related to gender equality and women's empowerment under Goal 5, as well as Goal 8, on decent work and inclusive economic growth, and target 8.7, on the eradication of forced labour and contemporary forms of slavery (see A/72/139).

II. Gender-based inequalities, violations of women's human rights and contemporary forms of slavery

7. Contemporary forms of slavery are fuelled by intersecting forms of oppression and inequalities. They often result from intersecting factors, such as race, ethnicity, caste, social and economic status, age, disability, nationality, sexual orientation, gender identity and migration status. Gender, as the socially constructed differences between people that are "attributed throughout the life cycle, learned, not innate, changeable for any given society over time and manifested with wide variations both within and between cultures", influences the opportunities and resources accessible to people in all societies.[1] That is to say that people experience violations of their human rights in different ways as a result of gender-based discrimination. From a binary perspective, gender has historically resulted in a hierarchical distribution of power and rights that favours men and disadvantages women, with important consequences for the comprehension of contemporary forms of slavery and the measures to prevent and eradicate the phenomena.[2]

8. Different forms of contemporary slavery are gendered in nature.[3] In the recent *Global Estimates of Modern Slavery* study, it was found that at any given time in 2016, an estimated 40.3 million people were in contemporary forms of slavery, including 24.9 million in forced labour.[4] It is widely agreed that these statistics underestimate the scale of the phenomena, which vary greatly between economic sectors and geographical regions. Women and girls are disproportionately subjected to forced labour, accounting for 57.6 per cent of victims.[5] Overall, women and girls made up 71.1 per cent of the people whose human rights were violated through contemporary forms of slavery in 2016.[6] In addition to the large numbers of girls and women affected by contemporary forms of slavery, it is estimated that over 11 million men and boys were victims in 2016, many of whom were engaged in State-imposed forced labour in construction or in the military.[7]

---

[1] *Women's Rights Are Human Rights* (United Nations publication, Sales No. E.14.XIV.5), pp. 35–36.

[2] Ibid. See also Committee on the Elimination of Discrimination against Women, general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women, para. 5.

[3] Chloé Bailey, "Her freedom, her voice: insights from the Freedom Fund's work with women and girls", 2017.

[4] International Labour Organization (ILO) and Walk Free Foundation, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (Geneva, 2017).

[5] While in *Global Estimates of Modern Slavery* it was also found that women and girls comprise 84.2 per cent of the victims subjected to forced marriage and 99.4 per cent of the victims subjected to "forced sexual exploitation", the present report is focused only on situations of contemporary forms of slavery in specific economic sectors.

[6] ILO and Walk Free Foundation, *Global Estimates of Modern Slavery*.

[7] Ibid. The analysis provided in the present report excludes a prevalence assessment of contemporary forms of slavery affecting transgender women, lesbians, bisexual women and intersex persons owing to the lack of availability of data in this regard. The Special Rapporteur notes, however, that the human rights violations affecting these distinct groups, particularly transgender women, might subject them to a significantly higher risk of exploitation under slavery and slavery-like conditions.

9. Research from around the world has consistently demonstrated strong linkages between women's poverty and their concentration in sectors characterized by the absence of labour rights and decent work, such as in the care economy and in accommodation and food services, where women workers are subjected to forced labour in jobs at the bottom of the global value chain.[8] At the same time, men and boys have been shown to be particularly vulnerable to contemporary forms of slavery in specific economic sectors such as construction, manufacturing and fishing.[9] The means of coercion used to enforce forms of slavery in both the recruitment and employment phases are also gendered, women and girls are more likely to be subjected to sexual violence and threats of sexual violence, to have travel documents withheld and to be forced to pay financial penalties, whereas men and boys are frequently victims of other forms of physical violence, including threats of violence against themselves and family members, confiscation of wages, confinement to living quarters or the workplace and deprivation of food or sleep.[10]

10. Prior studies undertaken by the Special Rapporteur have drawn attention to the specific ways in which the human rights of women and girls are violated through their subjection to contemporary forms of slavery (see A/HRC/27/53, A/HRC/33/46 and A/72/139). Gender-based inequalities and discrimination against women increase their risk of being subjected to slavery and institutions and practices similar to slavery. Factors that heighten these risks include, but are not limited to, poverty, the absence of social protection systems and the rule of law, discrimination in access to education and information, the low economic value ascribed to women's labour, particularly in the "reproductive" sphere of the family, land grabbing, displacement, lack of access to decent work opportunities, informal sector work, gender-based violence, laws and practices that discriminate against girls and women, precarious labour migration, barriers to accessing legal and justice systems, prevailing contexts of impunity and insecurity, lack of freedom of assembly and limited protection for unions (ibid.).

11. While the collection of reliable data on the prevalence and impact of the gendered dimensions of various contemporary forms of slavery is crucial to informing policies and programmes, it is important that this information be used to challenge rather than to reinforce prevailing stereotypes about women and girls as a homogeneous, innately "vulnerable" group.[11] There are many women-led anti-slavery movements active worldwide, such as those founded by women who were formerly in situations of slavery and organizations campaigning for better protection of the rights of domestic, agricultural and migrant workers.[12] Women and girls must be provided with opportunities to fully participate in decision-making related to the development, implementation and monitoring of human rights-based laws, policies

[8] See E/CN.6/2017/3, para. 3. See also United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), *Progress of the World's Women 2015–2016: Transforming Economies, Realizing Rights* (New York, 2015).

[9] Katharine Bryant, "Global estimates of modern slavery: we need to talk about gender", 30 October 2017, available from www.plan-uk.org.

[10] See ILO and Walk Free Foundation, *Global Estimates of Modern Slavery*, p. 10.

[11] See Sam Okyere and Prabha Kotiswaran, eds., *Gender*, vol. 8, Beyond Trafficking and Slavery Short Course Series (Open Democracy, 2015), p. 12; Simon Steyne, "Initial note for the round table on the gender dimensions of contemporary slavery", note prepared for the Fundamental Principles and Rights at Work Branch, ILO, 11 and 12 April 2018; and Committee on the Elimination of Discrimination against Women, general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, para. 7.

[12] Sarah Mathewson, "Mauritanian women against slavery", *Reporter* (Summer 2016), pp. 10–14; La Via Campesina, "Morocco: women agricultural workers are organizing to resist slavery", 31 January 2018; Marie-José Tayah, "Organizing domestic workers through research: the story of a participatory action research with women migrant domestic workers, NGOs and union members in Lebanon", April 2014; and Chloé Bailey, "Her freedom, her voice".

and programmes aimed at the prevention and eradication of contemporary forms of slavery for those measures to be effective.

A. Relevant legal and policy frameworks on women's rights and contemporary forms of slavery

12. The United Nations treaty bodies have provided an authoritative interpretation of international law through the adoption of general comments, including to advance the understanding of gendered inequalities and the steps that must be taken to identify and remedy them within the context of international human rights obligations. In its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights, the Committee on Economic, Social and Cultural Rights noted that "the social construction of gender stereotypes, prejudices and expected roles ... have created obstacles to the equal fulfilment of economic, social and cultural rights".[13] The Human Rights Committee has stated that the non-discrimination guarantees established in articles 2 and 3 of the International Covenant on Civil and Political Rights require States parties to remove barriers to the equal enjoyment of each of the rights contained in the Covenant and to take all steps necessary to end sex discrimination in the public and private sectors.[14] The Committee on the Elimination of Discrimination against Women has also clearly articulated the obligations of States parties to eliminate direct and indirect discrimination against women and girls in all areas of life.[15]

13. The Slavery Convention (1926) and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956) define slavery and institutions and practices similar to slavery. Their manifestations today as contemporary forms of slavery include, but are not limited to, traditional (or chattel) slavery, debt bondage, serfdom, sale of children for purposes of exploitation, domestic servitude and servile forms of marriage.[16] Even though international law no longer recognizes a legal right to ownership of persons, these practices constitute slavery when extreme forms of labour exploitation occur in the context of the exercise of powers tantamount to ownership over human beings, reducing them to commodities.

14. Other international instruments, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000), and the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182), are relevant to particular contexts of contemporary forms of slavery.[17] Forced labour is regulated under the ILO Forced Labour Convention, 1930 (No. 29), and the Protocol of 2014 thereto, as well as the ILO Abolition of Forced Labour Convention, 1957 (No. 105). Forced labour is often referred to as a contemporary form of slavery, but whether it is in fact slavery depends on the circumstances and, in

[13] Committee on Economic, Social and Cultural Rights, general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights, para. 20.

[14] Human Rights Committee, general comment No. 28 (2000) on the equality of rights between men and women, paras. 3–5.

[15] Committee on the Elimination of Discrimination against Women, general recommendation No. 28 (2010), para. 5.

[16] See Human Rights Council resolution 33/1 and www.ohchr.org/EN/Issues/Slavery/SRSlavery/Pages/SRSlaveryIndex.aspx.

[17] Several of the fundamental ILO conventions also deal with sex discrimination in employment without specifically referring to situations of slavery, including the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

particular, on the nature of control and form of power exercised over an employee. The ILO Domestic Workers Convention, 2011 (No. 189), calls for the extension of fundamental labour rights to domestic workers, including freedom of association, collective bargaining, labour inspection systems and access to justice, thereby addressing a number of the risk factors that can give rise to slavery and institutions and practices similar to slavery in the domestic and care work sector.[18] The proposed ILO standard on the elimination of violence and harassment in the world of work, discussed at the 107th session of the International Labour Conference, held in 2018, if adopted, would also contribute to closing some of the policy gaps that exist in addressing workplace violence and harassment as both a cause and a consequence of contemporary forms of slavery.

15. Other international human rights conventions that prohibit slavery and institutions and practices similar to slavery and provide for the right to freely choose work, as well as gender equality, include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination Against Women. In addition, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography provide specific protection for the rights of migrant workers and children as vulnerable groups. These instruments contain guarantees of substantive equality and non-discrimination on the grounds of sex, gender and other identity attributes, such as age, disability, socioeconomic status, ethnicity and religion, which must be read as obligations to prevent and eliminate the contemporary forms of slavery that they cover.[19] Thus, while many of the first international treaties on the prohibition of slavery do not explicitly mention the gender dimensions of the various practices that they aim to prevent and eradicate, they should be interpreted in the light of more recent instruments that insist upon substantive gender equality, non-discrimination and participation as fundamental and cross-cutting principles of international human rights law.[20]

16. There are several international policy frameworks on women's human rights, development, labour standards and migration that are also particularly relevant to identifying and redressing gender inequalities as causes and consequences of contemporary forms of slavery. The Beijing Declaration and Platform for Action and subsequent follow-up documents address the linkages between violations of women's human rights and practices including forced labour and forced marriage, as well as the measures that must be taken by States and other obligation holders to prevent and eradicate them.[21] As the Special Rapporteur noted in her report to the General Assembly at its seventy-second session, the inclusion of target 8.7, on the eradication of slavery, in the 2030 Agenda for Sustainable Development, along with a number of interrelated goals and targets that address the causes of slavery and promote access to justice, such as those on gender equality, education, decent work and economic growth and peace, offers a policy framework to guide action and resources towards the prevention and eradication of contemporary forms of slavery (see A/72/139, para. 10). In this field, Alliance 8.7, a partnership committed to achieving target 8.7

[18] ILO, "Implementation of international labour standards for domestic workers", What Works: Research Brief, No. 9 (2017).

[19] See, for example, Human Rights Committee, general comment No. 28 (2000), para. 12: "Having regard to their obligations under article 8, States Parties ... must also provide information on measures taken to protect women and children, including foreign women and children, from slavery, disguised, inter alia, as domestic or other kinds of personal service".

[20] See Okyere and Kotiswaran, eds., *Gender*, p. 12.

[21] See, in particular, http://beijing20.unwomen.org/en/about.

of the Sustainable Development Goals, has been created.[22] While most existing initiatives have not directly linked efforts to achieve gender equality with the prevention and eradication of contemporary forms of slavery, Alliance 8.7 and other multi-stakeholder platforms have the potential to ensure that a gender and women's human rights approach is consistently integrated into initiatives to address contemporary forms of slavery.

B. Gendered causes of contemporary forms of slavery

17. The Special Rapporteur has previously drawn attention to the fact that specific forms of slavery and institutions and practices similar to slavery, including domestic servitude, occur as a result of the lack of protection and enforcement of human rights and labour standards in highly feminized sectors of the global economy.[23] The causes of contemporary forms of slavery are complex, however, as inequalities based on sex and gender overlap and intersect with the many other forms of oppression and discrimination that underlie contemporary forms of slavery.[24] Manifestations of contemporary forms of slavery and their gendered causes are dynamic and also vary greatly between and within different geographical regions[25] and between different groups of women on the basis of class, race, culture, ethnicity, migration status, nationality and other factors. A critical and nuanced analysis of the structural forms of inequality that permeate economic, social, cultural, political and legal systems is required in order to effectively identify and address the multifaceted root causes of contemporary slavery.[26]

18. The present report provides a preliminary mapping of some of the gender-related dimensions of contemporary forms of slavery; however, its scope is limited to outlining the impact of contemporary forms of slavery on the human rights of women and girls in certain sectors of the global economy. It does not focus on human trafficking as a route to slavery or on sexual slavery, as these are covered by other special procedures mandate holders. The recommendations made to stakeholders seek to broaden this discussion by urging them to develop comprehensive and reliable gender-responsive research to better inform legislation, policies, budgets and programmes for the prevention and eradication of all manifestations of contemporary forms of slavery.

Macroeconomic policies, globalization and gender-based violence

19. Globalization has created unprecedented opportunities for the movement of goods and capital, as well as people, across national borders in order to source the cheapest products and maximize corporate profit.[27] The Montreal Principles on Women's Economic, Social and Cultural Rights (2002) draw attention to the gender-differentiated effects of economic globalization and note that globalization often

[22] See www.alliance87.org.

[23] See www.ohchr.org/EN/Issues/Slavery/SRSlavery/Pages/SRSlaveryIndex.aspx.

[24] Center for Women's Global Leadership, "Working paper on the gender dimension of contemporary forms of slavery, its causes and consequences: challenges, opportunities and strategies to eradicate the phenomena and their particular effect on women and girls", April 2018; and Anti-Slavery International, "Briefing for the United Nations Special Rapporteur on slavery: gender and slavery", April 2018.

[25] See ILO and Walk Free Foundation, *Global Estimates of Modern Slavery*; Center for Women's Global Leadership, "Working paper on the gender dimension of contemporary forms of slavery, its causes and consequences"; and Council of Europe, "Seventh general report on the activities of the Group of Experts on Action against Trafficking in Human Beings (GRETA)", 2017.

[26] See Okyere and Kotiswaran, eds., *Gender*, pp. 8–12.

[27] See A/72/139 and Center for Women's Global Leadership, "Working paper on the gender dimension of contemporary forms of slavery, its causes and consequences".

reinforces structural impediments to women's equal enjoyment of human rights, including their rights to decent work and to freedom from gender-based violence.[28] The causal relationship between neoliberal globalization and violence against women and girls, including through their exploitation in contemporary forms of slavery, as a result of gender-based discrimination in labour markets and the concentration of women and girls in informal employment has been highlighted in many contexts.[29]

20. Operating in tandem with broader mechanisms of global trade liberalization and investment are domestic macroeconomic policies and budget allocation priorities that also have gendered effects.[30] Austerity measures, regressive tax shifts, labour market reforms, reduction in government spending on social services and the privatization of public goods, which have characterized neoliberal globalization, hinder the capacity of States to effectively tackle the causes and consequences of gendered inequalities and violations of women's human rights in different spheres.[31] In connection with contemporary forms of slavery, cuts in public spending have reduced the provision of targeted services, such as education and information programmes, as well as social protection floors and victim assistance schemes that could prevent and redress slavery and institutions and practices similar to slavery.[32]

Discriminatory laws and practices

21. Discrimination against women and girls that is enshrined in laws, customs and administrative practices is in violation of international human rights law and creates gender-specific risk factors for forced labour and other contemporary forms of slavery.[33] Laws and policies may be directly discriminatory, for example, formal and customary laws that restrict women's rights to inherit and own property and discriminatory nationality provisions that limit women's economic autonomy and freedom of movement. At the same time, facially neutral legislation and policies that do not account for or take steps to redress gendered barriers to accessing positions of decision-making power, information, services and justice systems can further entrench discrimination.[34]

22. Laws, policies and services that are "gender-sensitive" have often been protectionist in nature, particularly in the anti-trafficking and sexual exploitation spheres.[35] These instruments may reinforce harmful stereotypes about women as victims of slavery without any agency and also lead to the gender-specific causes of the many contemporary forms of slavery being overlooked.[36]

---

[28] See International Federation for Human Rights, Montreal Principles on Women's Economic, Social and Cultural Rights, December 2002, para. 12.

[29] See ILO, "Women at work initiative", 2018; ILO, *Women and Men in the Informal Economy: A Statistical Picture*, 2nd ed. (Geneva, 2013); Committee on the Elimination of Discrimination against Women, general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, para. 14; and A/HRC/11/6.

[30] James Heintz and Andrew Glyn, "Why macroeconomic policy matters for gender equality", Policy Brief, No. 4 (New York, UN-Women, 2015).

[31] See Committee on the Elimination of Discrimination against Women, general recommendation No. 34 (2016) on the rights of rural women, para. 10; Centre for Economic and Social Rights, "Assessing austerity: monitoring the human rights impacts of fiscal consolidation", briefing, February 2018; and Labour Exploitation Advisory Group, "Submission to the United Nations Special Rapporteur on contemporary forms of slavery", April 2018.

[32] Heintz and Glyn, "Why macroeconomic policy matters for gender equality"; and A/72/139, para. 26.

[33] Chloé Bailey, "Her freedom, her voice"; and Anti-Slavery International, "Briefing for the United Nations Special Rapporteur on slavery: gender and slavery".

[34] See Committee on the Elimination of Discrimination against Women, general recommendation No. 34 (2016), para. 10; and general recommendation No. 25 (2004) on temporary special measures.

[35] See Okyere and Kotiswaran, eds., *Gender*, pp. 8–12.

[36] Ibid.

Gender stereotyping and stigmatization

23. Gender stereotyping refers to the practice of ascribing to an individual woman or man specific attributes, characteristics or roles by reason only of her or his membership in the social group of women or men. This is a harmful practice that often results in violations of human rights and fundamental freedoms.[37] Gender stereotypes also contribute to heightening the risk of contemporary forms of slavery for women and girls.[38] Also, the gendered stigma that may be attached to particular forms of slavery, such as that which occurs within the context of trafficking for forced labour or servile marriages, makes it less likely for people to report abuse or to seek remedies.[39]

24. Stereotypes concerning suitable forms of employment for men or women and sex segregation in the labour market create and perpetuate conditions that lead to exploitation under slavery and slavery-like conditions in specific economic sectors, in particular in those sectors, such as care and domestic work, that have traditionally been viewed as "female".[40] This can also contribute to gender stereotypes being applied in analysis of and responses to contemporary slavery, thereby causing specific experiences of slavery, such as those of women and girls in forced labour in mining and other sectors commonly understood to be "men's work", to become invisible.[41] Gender-based discrimination in education and patriarchal societies placing a higher value in investing in men and boys' education feeds into these harmful stereotypes, with women and girls more often denied educational opportunities.[42]

C. Experiences of women and girls subjected to contemporary forms of slavery in specific sectoral examples

25. In the private economy, women and girls constitute 92 per cent of those in forced labour in the accommodation and food services sector and 61 per cent of those in domestic work.[43] The present section outlines the way in which a gender and women's human rights analysis can shed light on specific aspects of contemporary forms of slavery across a number of economic sectors: agriculture, garment work, electronics manufacturing, accommodation and food services, and domestic and care work. It reflects the need for business to address gender discrimination and its manifestations in contemporary forms of slavery, including forced labour, in supply chains, and to ensure overall compliance with international standards regulating business, such as the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework.

1. Agriculture

26. In agriculture, contemporary forms of slavery have been observed in many countries, involving both food crops and commodities (see A/HRC/30/35). Production in the sector often relies on temporary or migrant labour and is characterized by

[37] See www.ohchr.org/EN/Issues/Women/WRGS/Pages/GenderStereotypes.aspx.

[38] Center for Women's Global Leadership, "Working paper on the gender dimension of contemporary forms of slavery, its causes and consequences".

[39] Ibid.; and Global Alliance against Traffic in Women, "The gender dimensions of human trafficking", April 2018.

[40] See Okyere and Kotiswaran, eds., *Gender*, pp. 8-12; and Labour Exploitation Advisory Group, "Submission to the United Nations Special Rapporteur on contemporary forms of slavery".

[41] Global Alliance against Traffic in Women, "The gender dimensions of human trafficking"; and Steyne, *"Initial note for the round* table on the gender dimensions of contemporary slavery".

[42] Global Alliance against Traffic in Women, "The gender dimensions of human trafficking".

[43] Ibid.

excessive working hours and a lack of implementation of labour laws. The imperative to produce at the lowest cost increases the risk of contemporary forms of slavery in agriculture, especially debt bondage among specific categories of workers, such as indigenous peoples, minorities, migrants, women and children (ibid.).

27. ILO estimates that 12 per cent of work in agriculture globally falls within the legal definition of forced labour, and that within the agricultural (including fisheries and forestry) sector, men and boys comprise 68 per cent of those people who are subjected to forced labour.[44] Importantly, however, official statistics on forced labour may not reflect the conditions under which many women and girls work on farms in contexts of servile marriages or debt bondage.[45]

28. In some South Asian countries, when a man enters a bonded labour arrangement in agricultural settings, his wife's and children's labour are automatically included as part of the employment "contract".[46] Women in such situations of bonded agricultural labour not only have to work long hours in the fields and undertake domestic chores in the home of their husband's employer, but they must also assume domestic duties in their own homes.[47] In the gendered practice of trokosi, which occurs in south-eastern Ghana, young girls are indentured to a local shrine, where they work in the priest's fields and home and are routinely subjected to physical and sexual violence as well as to deprivations of food, education and health care.[48]

29. In Italy, women from Romania are employed in the Sicilian horticultural sector, where they face conditions of forced and bonded labour that include failure to pay wages, sexual violence, threats against themselves and their children and violations of reproductive and sexual rights, as well as violations of the rights to adequate housing, food and drinking water.[49] Similar stories of forced and bonded labour, sexual violence and threats of deportation against women migrant agricultural workers have been reported on tomato farms in the United States of America.[50]

30. In Morocco, La Via Campesina has documented the case of women agricultural workers employed in flower and fruit plantations who have organized to protest against forced labour and other violations of their rights. The women have been subjected to illegal salary structures that result in them being paid by the piece for blossom picking, the withholding of wages and social security entitlements, forced relocation to work on an adjacent farm, pregnancy-related discrimination, harassment, the exaction of financial penalties and threats related to their unionization.[51]

---

[44] Steyne, "Initial note for the round table on the gender dimensions of contemporary slavery".

[45] See Committee on Economic, Social and Cultural Rights, general comment No. 23 (2016) on the right to just and favourable conditions of work, para. 47 (h).

[46] Asia Pacific Forum on Women, Law and Development, "Briefing paper on the gender dimension of contemporary forms of slavery, its causes and consequences", paper prepared for the round table convened by the Special Rapporteur, Geneva, 11 and 12 April 2018.

[47] Beth Herzfeld, "Slavery and gender: women's double exploitation", *Gender and Development*, vol. 10, No. 1 (March 2002); and Chloé Bailey, "Her freedom, her voice".

[48] Beth Herzfeld, "Slavery and gender"; and Anti-Slavery International, "Briefing for the United Nations Special Rapporteur on slavery: gender and slavery".

[49] Letizia Palumbo and Alessandra Sciurba, "Vulnerability to forced labour and trafficking: the case of Romanian women in the agricultural sector in Sicily", *Anti-Trafficking Review*, vol. 5 (September 2015); and Lorenzo Tondo and Annie Kelly, "Raped, beaten and exploited: the 21st century slavery propping up Sicilian farming", *The Guardian*, 11 March 2017.

[50] Coalition of Immokalee Workers, "Slavery in the fields and the food we eat", 2012, available at ciw-online.org/slavery; and Ariel Ramchandani, "There's a sexual harassment epidemic on America's farms", *The Atlantic*, 29 January 2018.

[51] La Via Campesina, "Morocco: women agricultural workers are organizing to resist slavery"; and Consortium of International Agricultural Research Centers, research programme on dryland systems, "Shedding light on women's wages and working conditions in the agricultural sector in Morocco", 11 October 2016.

31. Women form the majority of workers in the Colombian cut flower sector, where they reportedly experience poverty wages, forced overtime, sexual harassment, occupational health and safety issues, the repression of union rights, violations of freedom of association, and the use of exploitative recruitment agencies and intermediaries.[52] On many Indian tea plantations, women workers are subjected to excessive working hours, violence, inadequate access to food, water, sanitation and housing, and exposure to harmful chemicals, which have all been linked to rates of maternal mortality among women tea workers that are more than double the national average.[53]

2. Garment work

32. It is estimated that between 60 and 75 million people work in the garment industry globally and that at least 75 per cent of those people are women and girls.[54] ILO notes that the sector is characterized by production that is subcontracted to suppliers in different countries and that it remains among the most labour-intensive, feminized industries, with women being concentrated in low-skilled and less well remunerated jobs.[55]

33. From research undertaken on the gendered forms of forced labour in the textile hubs in India, it is estimated that 80 per cent of workers are women and girls.[56] In a study published by the Garment Labour Union, it was found that 5 of the 11 ILO indicators for forced labour exist in the Bangalore garment industry: abuse of vulnerability; deception concerning wages and working conditions; restriction of movement in staff hostels; intimidation and threats; and abusive working and living conditions. While some of these aspects of forced labour are experienced by locally recruited women, they are significantly more prevalent among migrant workers from other regions of India, many of whom come from "scheduled" castes and tribes.[57]

34. Research carried out in the neighbouring State of Tamil Nadu found that women and girls as young as 14 years old were recruited for garment factory work from marginalized Dalit communities in impoverished rural areas. Workers were expected to work for long hours of forced overtime in unhealthy conditions without contracts. Wages were withheld and social security contributions unlawfully deducted, with a promised "bonus" (which was really withheld wages) only paid at the completion of the contract period, effectively tying workers to the factory. Freedom of movement was also found to be severely restricted as workers were often confined in company-run hostels. Trade unions were ignored or suppressed, and corporate inspections and the use of existing voluntary grievance mechanisms did not result in effective redress for the human rights violations the girls and women had experienced.[58]

---

[52] Nate Miller, "Mother's Day in the flower fields: labour conditions and social challenges for Colombia's flower sector employees", 2017.

[53] Asia Pacific Forum on Women, Law and Development, "Briefing paper on the gender dimension of contemporary forms of slavery, its causes and consequences".

[54] Lina Stotz and Gillian Kane, "Facts on the global garment industry", Clean Clothes Campaign factsheet, 2015; and Lucy Siegle, "Fashion doesn't empower all women", *The Guardian*, 11 June 2018.

[55] ILO, "Textiles, clothing, leather and footwear sector", available at www.ilo.org/global/industries-and-sectors/textiles-clothing-leather-footwear/lang--en/index.htm.

[56] Chloé Bailey, "Her freedom, her voice".

[57] Pramita Ray and Marijn Peepercamp, "Labour without liberty: female migrant workers in Bangalore's garment industry", 2018.

[58] Homeworkers Worldwide, India Committee of the Netherlands and Centre for Research on Multinational Corporations, *Case Closed: Problems Persist — Grievance Mechanisms of ETI and SAI Fail to Benefit Young Women and Girls in the South Indian Textile Industry* (2018); and Anti-Slavery International, "Briefing for the United Nations Special Rapporteur on slavery: gender and slavery".

35. Other studies have highlighted the complex gendered impact of the way in which global supply chains operate in the textile industry. In northern India, it was noted that male embroidery workers in cities who are considered highly skilled are attached in bonded labour to contractors; however, they are still paid more than the "unskilled" women homeworkers in remote villages, who are systematically excluded from advance payments and hence from debt relations. The contractor is uninterested in attaching them through debt, as these women are already "tied to the thick walls of the household" through patriarchal social norms.[59]

36. The Asia Pacific Forum on Women, Law and Development has documented cases of bonded labour experienced by home-based women bangle and embroidery workers in Pakistan.[60] Another piece of research documents the complexities of gender and global value chains in the textile industry in Bangladesh and the United Kingdom of Great Britain and Northern Ireland and problematizes the idea that women working in garment production in Dhaka were being exposed to worse working conditions than Bangladeshi female homeworkers also producing for the same company in London.[61]

3. Electronics manufacturing

37. The presence of forced labour in the electronics manufacturing industry has been documented in a number of regions.[62] However, extensive research has not yet been conducted into the gender dimensions of contemporary forms of slavery within this economic sector, although it appears to be highly feminized, with migrant and younger workers forming the bulk of people employed in electronics manufacturing.[63]

38. One detailed study, carried out by Verité in 2014, describes the prevalence of forced labour among workers in the Malaysian electronics industry.[64] Using conservative estimates, the study found that at least 28 per cent of workers were in situations of forced labour and that this was much higher for foreign workers. Forced labour was widespread in the study sample across all major producing regions, electronics products and foreign worker nationalities, and among both female and male workers, although women formed the overwhelming majority of the workforce in the sector. According to the Department of Statistics of the Government of Malaysia, approximately 60 per cent of those employed in the electronics sector in 2011 were women, while an independent report from 2013 estimated that up to 70–80 per cent of the sector was made up of women.[65]

39. The specific characteristics of forced labour experienced by women and men in the Malaysian electronics industry include the withholding of travel documents; payment of excessive recruitment fees to employment agencies and the corresponding need to work overtime to repay debts incurred for this purpose; misrepresentation of wages, hours, overtime requirements and provisions regarding termination of

[59] Alessandra Mezzadri, "Modern slavery and the gendered paradoxes of labour unfreedom", openDemocracy, 26 July 2016.

[60] Asia Pacific Forum on Women, Law and Development, "Briefing paper on the gender dimension of contemporary forms of slavery, its causes and consequences".

[61] Naila Kabeer, *The Power to Choose: Bangladeshi Women and Labour Market Decisions in London and Dhaka* (London, Verso, 2002).

[62] ILO and Walk Free Foundation, *Global Estimates of Modern Slavery*.

[63] Pauline Overeem, "Workers' rights in the global electronics sector", November 2012; and Megha Shree, "Women's employment in Indian electronics manufacturing sector", *Asian Journal of Research in Social Sciences and Humanities*, vol. 5, No. 9 (2015). See also www.electronicswatch.org.

[64] Verité, "Forced labour in the production of electronic goods in Malaysia: a comprehensive study of scope and characteristics", September 2014.

[65] Ibid.

employment, or the nature, degree of difficulty or danger of jobs; and an inability to change or refuse their jobs or to access grievance mechanisms. Many workers reported inadequate housing and stated that they could not come and go freely and that they were subject to surveillance both at work and at home. Nearly half of foreign workers reported having encounters with immigration officials, police or the volunteer citizen security corp. The majority of the respondents said that they had had to pay a bribe or had been detained or threatened with detention or physical harm. The dependency of foreign electronics workers on the employer or agent for legal status, jobs, housing and sometimes even food creates a situation of heightened risk of forced labour.[66]

4. Accommodation and food services

40. In *Global Estimates of Modern Slavery*, it is noted that women and girls constitute 92 per cent of those in forced labour in the accommodation and food services sector.[67] Key features of gendered work in this sector include low wages, seasonality, long and irregular working hours, inadequate employer-provided accommodation, widespread use of agency and migrant workers and a high prevalence of sexual harassment and other forms of gender-based violence.[68] Each of these factors, in particular the use of recruitment agencies and the predominance of women migrant workers, increased the risk of forced labour within the sector.

41. In the United Kingdom, it is estimated that nearly 10 per cent of the workforce is employed in various branches of the food, accommodation and tourism industry. A report prepared by Chain Checked noted the prevalence of forced labour among hotel housekeeping staff, who tend to be migrant women and to be employed through agencies and subjected to excessive working hours, extremely low wages, sexual violence and threats of deportation.[69] Many of the women working as hotel housekeeping staff have no written contracts and, in the event of failure to pay wages or concerns of occupational health and safety and other workers' rights, there is no direct form of recourse, either through the hotels in which they work or through the recruitment agencies that hire them.[70]

42. In a detailed global survey of women's employment in the hotel, catering and tourism sector conducted in 2013, it was concluded that women are disproportionately represented in lower-skilled and lower-paid areas of the industry and that they are more likely to undertake part-time, seasonal, agency and casual work in the sector. It was also found that women are overrepresented in informal and marginalized areas of work in the accommodation, food and tourism sectors and are "subject to disproportionate exploitation through engagement with dirty work (defined as physically unhygienic or undignified) and prostitution tourism".[71]

5. Domestic and care work

43. In *Global Estimates of Modern Slavery*, it is noted that 24 per cent of domestic workers are subjected to forced labour and many more experience situations of debt

[66] Ibid.

[67] ILO and Walk Free Foundation, *Global Estimates of Modern Slavery*.

[68] Thomas Baum, *International Perspectives on Women and Work in Hotels, Catering and Tourism*, ILO Working Paper 1/2013 (Geneva, ILO, 2013).

[69] Chain Checked, "Forced labour in Britain's hospitality industry", blog, available at http://chainchecked.com/840-2/.

[70] Jeremy Fox, "I'm really just a slave: how hotel chains exploit agency loopholes and dehumanize workers", openDemocracy, 13 December 2017, available at www.opendemocracy.net.

[71] See Baum, *International Perspectives on Women and Work in Hotels, Catering and Tourism*, p. 59.

bondage.[72] ILO estimates that women account for 81 per cent of national domestic workers and 73 per cent of all migrant domestic workers.[73] As with other female-dominated industries, labour in the domestic sector is generally undervalued and characterized by unfair recruitment practices, low pay, high levels of precarious work, outsourcing, lack of regulation and poor working conditions, including non-payment of wages and unfair deductions for food and housing, debt bondage, excessive working hours, tied visas, restrictions on place of residence (usually within the employer's home), confiscation of identity documents and lack of social protection.[74] Numerous reports have documented serious physical, sexual and psychological violence against women and girls in domestic service and have noted further human rights violations, such as deprivation of food, water and health care; restricted freedom of movement, association and communication; discrimination on the basis of sex, race and caste; and barriers to accessing justice.[75]

44. According to ILO, only 10 per cent of all domestic workers are covered by labour legislation to the same extent as other workers, and nearly 30 per cent are completely excluded from the scope of national labour legislation.[76] In addition, many domestic workers are excluded from maternity protection and social insurance schemes.[77] It has also been observed that domestic workers are often "hard to reach" and fall outside of existing labour inspection systems.[78] The specific conditions of employment in domestic work — the fact that it often occurs in the informal sector and that workers may be isolated in private households — frequently lead to barriers to accessing justice and to organizing in order to bargain collectively and demand better working conditions. In many countries, migrant workers cannot form or join formal trade unions, nor can they bargain with employers to improve working conditions and wages.[79]

45. The cleaning and care sectors are also highly feminized.[80] The use of "zero-hour contracts", agency workers and practices such as "tied visas" for migrants in the care and cleaning sectors has burgeoned in recent years in the United Kingdom and many other countries. These forms of employment tend to increase precarity and to dilute accountability for exploitative working conditions and other human rights violations,

[72] See ILO and Walk Free Foundation, *Global Estimates of Modern Slavery*, p. 11; and Asia Pacific Forum on Women, Law and Development, "Briefing paper on the gender dimension of contemporary forms of slavery, its causes and consequences".

[73] Maria Gallotti, *Migrant Domestic Workers Across the World: Global and Regional Estimates* (Geneva, ILO, 2016); and ILO, *Domestic Workers Across the World: Global and Regional Statistics and the Extent of Legal Protection* (Geneva, 2013).

[74] Freedom Fund, "Submission to the round table on the gender dimension of contemporary forms of slavery", Geneva, 11 and 12 April 2018; Asia Pacific Forum on Women, Law and Development, "Briefing paper on the gender dimension of contemporary forms of slavery, its causes and consequences"; Center for Women's Global Leadership, "Working paper on the gender dimension of contemporary forms of slavery, its causes and consequences"; Judy Fudge, "Modern slavery and migrant domestic workers: the politics of legal characterization", Foundation for Law, Justice and Society, policy brief (2016); Focus on Labour Exploitation, "Women in the workplace: Flex's five-point plan to combat labour exploitation", 2018; and ILO, *Domestic Workers Across the World*.

[75] Asia Pacific Forum on Women, Law and Development, "Briefing paper on the gender dimension of contemporary forms of slavery, its causes and consequences"; Center for Women's Global Leadership, "Working paper on the gender dimension of contemporary forms of slavery, its causes and consequences"; and ILO, *Domestic Workers Across the World*.

[76] ILO, *Domestic Workers Across the World*.

[77] Ibid. See also Hestia, "Underground lives: pregnancy and modern slavery", March 2018.

[78] Focus on Labour Exploitation, "Women in the workplace".

[79] Center for Women's Global Leadership, "Working paper on the gender dimension of contemporary forms of slavery, its causes and consequences".

[80] See ILO, *Domestic Workers Across the World*, p. 21; and Labour Exploitation Advisory Group, "Submission to the United Nations Special Rapporteur on contemporary forms of slavery".

including sexual violence.[81] As with domestic work, the precarity of employment relationships and lack of regulation that prevail in the cleaning and care sectors substantially increase the risk of women and girls working in those industries being subjected to forced labour and other contemporary forms of slavery.

D. Gendered consequences of contemporary forms of slavery

46. Common characteristics of labour relations within the economic sectors described above that increase the risk of contemporary forms of slavery are: oppressive recruitment systems; outsourcing; informal employment arrangements; inadequate wages and deductions of fees and penalties; debt relations with employers and intermediaries; precarious migration status; poor working conditions, including inadequate housing, health care, food and water and lack of access to social protection schemes; low levels of unionization; and, in most contexts, the exclusion of workers from the protections of national labour law and inspection systems, as well as a lack of gender-sensitive access to justice and remedies for human rights violations.[82] Coupled with these structural forms of violence are specific manifestations of violence and discrimination against women and girls, including their highly disproportionate share of caregiving responsibilities, such as unpaid care and domestic work, sexual violence, restrictions on freedom of movement, pregnancy-related discrimination and violations of sexual and reproductive rights.

47. Many of the jobs in feminized labour sectors involve tasks that historically have been considered "women's work", such as caring, cleaning, cooking and sewing, and which continue to be socially and economically undervalued.[83] Even when they work in sectors such as agriculture and electronics manufacturing, women and girls tend to be relegated to lower-status and unskilled occupations that are not protected through formal employment relations. Gender segregation in the labour market thus leads to the normalization of violations of women's human rights in the workplace and promotes a climate of impunity for contemporary forms of slavery.

48. While actors in the anti-slavery sphere are increasingly recognizing that women are employed in a variety of different economic sectors, cases of sexual abuse in these sectors often lead to action being taken to address violations of their rights.[84] It has been argued that the disproportionate attention paid to sexual violence against women "disregards the mounting evidence that it is State laws and institutional practices pertaining to sex work, domestic labour, immigration, asylum, and rape" that most significantly and adversely affect women's human rights.[85]

Gendered access to justice and remedies

49. People whose human rights have been violated by contemporary forms of slavery face numerous barriers to accessing justice and remedies, and these obstacles are also gender-differentiated.[86] In a study undertaken by ILO in 2017 on access to justice for migrant workers in South-East Asia, it was found that an overwhelming majority of women sought help from non-governmental organizations (NGOs), with only 15 per cent seeking help from government agencies and 3 per cent from trade

[81] Labour Exploitation Advisory Group, "Submission to the United Nations Special Rapporteur on contemporary forms of slavery".

[82] Focus on Labour Exploitation, "Women in the workplace".

[83] Ibid., p. 2.

[84] See Letizia Palumbo, "The need for a gendered approach to exploitation and trafficking", in Okyere and Kotiswaran, eds., *Gender*, pp. 23–27.

[85] See Okyere and Kotiswaran, eds., *Gender*, p. 12.

[86] Ibid. See also A/HRC/14/22 and Committee on the Elimination of Discrimination against Women, general recommendation No. 33 (2015) on women's access to justice.

unions. In contrast, men sought assistance from Governments, trade unions and NGOs. The authors of the study concluded that this difference in justice-seeking behaviour is due to the fact that more women are employed in informal work without trade union support and are afraid to turn to the Government owing to concerns about their migration status.[87]

50. The impacts of gendered forms of violence that women experience as a result of contemporary forms of slavery necessitate the development of specific, inclusive and participatory human rights-based services and support measures in the fields of physical, sexual, reproductive and mental health, legal aid, social protection and reintegration assistance.[88] Women and girls, particularly in the area of remediation for trafficking, are often treated within a protective paradigm that results in "rehabilitative" measures, such as their confinement in migrant hostels, that further restrict their autonomy and freedom of movement.[89] This discounts their agency as rights holders to seek personal autonomy. "Raid and rescue" operations designed to extract women and girls from situations of contemporary forms of slavery, often without their knowledge or consent, may cause further harm, including re-exploitation. In the same vein, the forms of reintegration support provided to women who have been trafficked frequently involve the teaching of stereotypically "feminine" skills, such as sewing, knitting and handicraft production, which does little to increase the opportunities for these women and girls to move into jobs that are not characterized by exploitation under slavery and slavery-like conditions.

III. Conclusions and recommendations

A. Towards a gender-responsive and women's rights-based framework for the eradication of all contemporary forms of slavery

51. Globally, girls and women form the overwhelming majority of people whose human rights are violated through specific manifestations and consequences of slavery and slavery-like practices. Gender inequalities lie at the heart of contemporary forms of slavery, which are also fuelled by intersecting forms of discrimination, oppression and inequalities, such as race, ethnic origin, caste, social and economic status, age, disability and migration status.

52. While the causes of contemporary forms of slavery are complex and vary between and within countries, gendered inequalities and discrimination against women and girls are key drivers of these human rights violations. Implementation of the Sustainable Development Goals and other global human rights objectives expressed in instruments such as the Global Compact for Safe, Orderly and Regular Migration and the Guiding Principles on Business and Human Rights will not be realized unless urgent and targeted steps are taken to effectively address the gendered dimensions of slavery and slavery-like practices. All responses aimed at the prevention and eradication of contemporary forms of slavery must focus on promoting substantive gender equality and women's human rights by redressing the socioeconomic disadvantage experienced by women in all areas of life, addressing harmful gender stereotypes, stigmatization and discrimination, and strengthening women's agency, voice and participation.

---

[87] See Benjamin Harkins and Meri Åhlberg, *Access to Justice for Migrant Workers in South-East Asia* (ILO, Geneva, 2017), pp. 23–24.

[88] Catherine Zimmerman and Ligia Kiss, "Human trafficking and exploitation: a global health concern", *Plos Medicine*, vol. 14, No. 11 (November 2017); and Hestia, "Underground lives".

[89] Global Alliance against Traffic in Women, "The gender dimensions of human trafficking".

53. **Gender-sensitive and human-rights-based approaches to the issue of contemporary forms of slavery must include an analysis of the specific and differentiated experiences of men and women in different economic sectors and geographical contexts and ensure that legislation, policies, programmes and remedies are developed, led and monitored by those people who are most directly affected.**

B. Recommendations to Member States

54. **In the light of these considerations, the Special Rapporteur recommends that States:**

(a) **Ratify all relevant international instruments prohibiting slavery and institutions and practices similar to slavery, including the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), and the Domestic Workers Convention, 2011 (No. 189), align their domestic legislation with international standards, criminalize all contemporary forms of slavery, apply adequate penalties for violations and ensure that gender-sensitive remedies are provided to victims;**

(b) **Ratify the Convention on the Elimination of All Forms of Discrimination Against Women and the Optional Protocol thereto without reservations and take targeted steps to implement guarantees of gender equality and non-discrimination contained in the Convention, the Optional Protocol and other international human rights instruments, including those that guarantee freedom of association and other fundamental rights at work;**

(c) **Support the final adoption of the proposed ILO convention on ending violence and harassment in the world of work, as well as other fundamental labour standards that guarantee gender equality measures and non-discrimination, such as the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111);**

(d) **Consistently incorporate a gender and women's human rights-based analysis into national legislation, policies, programmes, budgets and other activities aimed at combating contemporary forms of slavery, including in the context of formulating policies and voluntary national reviews of the implementation of target 8.7 of the Sustainable Development Goals;**

(e) **Evaluate government spending, taxation and monetary policy with regard to their effects on gender equality and mobilize public resources towards areas that improve gender equality and the promotion of women's human rights, including through the extension of comprehensive systems of social protection to reduce the risk factors that lead to contemporary forms of slavery;**

(f) **Develop, enact and update a national action plan on business and human rights in accordance with the Guiding Principles on Business and Human Rights and incorporate a gender and women's human rights analysis within plans insofar as may be relevant to eliminating gender-based contemporary forms of slavery;**

(g) **Adopt effective and gender-responsive labour inspection systems in highly feminized sectors, raise awareness and conduct training for law enforcement agents, the judiciary, labour inspectors, unions, health-care professionals and other actors concerning the identification of women and girls as victims of contemporary forms of slavery;**

(h) **Provide appropriate, human-rights-based support and gender-responsive social, medical, economic and legal assistance to women who have**

experienced contemporary forms of slavery and dedicate specific funds for this purpose, including through support to victims, trade unions and human rights and women's organizations;

(i) Ensure that all victims of forced labour and other contemporary forms of slavery can access effective and transformative remedies by taking appropriate steps to ensure the accessibility of criminal justice mechanisms, as well as civil and administrative remedies. This should include identifying and eliminating gender-based barriers that could compromise access to remedies for victims;

(j) Adopt effective legislation on human rights due diligence, public reporting and disclosures of businesses, as well as measures relating to government procurement practices, and guarantee its implementation. Such legislation should explicitly integrate requirements to conduct a gender impact analysis as one component of due diligence and should also promote public procurement practices that are gender-sensitive;

(k) Explicitly prohibit fraudulent and abusive recruitment practices, including payment of recruitment fees to agents, which are a major cause of contemporary forms of slavery, and adopt measures to regulate recruitment and employment agencies. Particular attention should be paid to regulating employment agencies that recruit workers in the domestic, care, hotel and manufacturing sectors;

(l) Work towards the creation of gender-responsive migration policies, which should include fair and accessible legal access to decent work and safe and fair migratory channels for women and men, and consider measures such as the decoupling of residence permits from specific employment relationships to diminish the risks of contemporary forms of slavery among migrant workers. Consideration should also be given to the development of cooperative, transnational social protection systems;

(m) Invest in the systematic collection and analysis of gender-disaggregated data on the scope and prevalence of contemporary forms of slavery in specific sectors, the informal economy and domestic production as the foundation for effective policy and strategy formulation by both public and private sector actors. Information concerning access for women to identity documents and to social security entitlements should also be gathered regularly;

(n) Give special attention to the risk of contemporary forms of slavery in the informal economy, including by identifying at-risk sectors, in particular those that historically have been highly feminized;

(o) Consider different strategies to promote multi-stakeholder public-private partnership platforms, which include women's machineries and all levels of government, civil society actors, including women's rights groups, women victims and survivors, trade unions, business representatives and other stakeholders. These are crucial to effectively and holistically address contemporary forms of slavery and can, inter alia, foster dialogue on gender-sensitive policies to best tackle its root causes and provide an institutional framework to develop and implement human-rights-based strategies, grievance mechanisms and remediation, and advocacy on legal and public policy reform, as well as to promote certification and independent investigation;

(p) Develop strategies to implement target 8.7 of the Sustainable Development Goals with a focus on the creation of decent work and full and productive employment, as well as addressing non-standard forms of work and work in the informal sector where the gendered impact of slavery is apparent.

C. Recommendations to other stakeholders

55. **The Special Rapporteur recommends that businesses:**

(a) **Adopt human rights policy commitments and conduct continuous and effective human rights due diligence in line with the framework established in the Guiding Principles on Business and Human Rights, and include the findings of the latter in their policies and procedures aimed at eliminating contemporary forms of slavery. Particular attention should be paid to integrating a women's rights and gender analysis into due diligence policies and procedures;**

(b) **Ensure that human rights policies and procedures and the systems to implement them are gender-aware and responsive, include every component of supply chains, particularly those in the informal economy, to identify human rights violations, including contemporary forms of slavery, and ensure compliance with international human rights standards;**

(c) **Publicly report on action they have taken to address their human rights impacts in connection with contemporary forms of slavery, including their gender dimensions, as well as preventive and corrective measures taken, and share lessons learned and strategies for improvement;**

(d) **Provide or cooperate in the provision of remedies by establishing or participating in operational-level grievance mechanisms, in accordance with the Guiding Principles on Business and Human Rights, and cooperate with State-based grievance mechanisms. The approach adopted by businesses in providing a timely and effective remedy should be gender-sensitive and community-based and ensure accessibility, non-discrimination, legitimacy, predictability, equity, transparency and compatibility with human rights;**

(e) **Engage in capacity-building on human rights and gender equality to ensure that management and staff, as well as the relevant business partners, are aware of the gendered nature and risks of contemporary forms of slavery in supply chains and the strategies for its eradication.**

56. **The Special Rapporteur would like to make the following recommendations to other stakeholders:**

(a) **International organizations and the donor community have an important role to play in providing a forum for dialogue and cooperation to address contemporary forms of slavery and to ensure that gender analysis and a women's human rights-based approach are consistently used to inform policies and programmes. They are encouraged to assist States and other actors, if needed, by providing technical assistance for research, capacity-building and remediation and for addressing the root causes of contemporary forms of slavery through human-rights-based development, humanitarian and poverty reduction programmes;**

(b) **Multi-stakeholder platforms that aim to address contemporary forms of slavery should promote women's human rights and systematically integrate considerations of gender equality into their research, policies and programmes, including the voices of women victims and survivors;**

(c) **Investors should use their leverage to exercise pressure on businesses to respect human rights and to promote gender equality, raise awareness of the risks of slavery and slavery-like practices, build capacity, invest in research and data collection and analysis and ensure that businesses establish relationships with other relevant actors, including through multi-stakeholder platforms;**

(d) Consumers should play a more active role in scrutinizing the origin of products and promoting ethical sourcing and other fair trade initiatives, which should also include information and indicators on gender equality and women's human rights;

(e) Trade unions and their confederations have a key role to play in ensuring that the human rights of workers are complied with by States and businesses. Specific measures should be adopted to ensure that women and organizations that represent feminized economic sectors are equally represented within decision-making structures in the union movement;

(f) Other civil society actors, including foundations, academia and the media, should continue to conduct research, investigate and report on gender equality and human rights violations connected to contemporary forms of slavery, highlight areas of non-compliance with international human rights norms and standards and call for effective and prompt action to remedy these situations by those responsible.